

Current Class: CONFIDENTIAL
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PTQ5854

RELEASED IN PART
B1, 1.4(D)

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ACTION ARA-01

INFO	LOG-00	ACDA-08	ACDE-00	INLB-01	AID-00	AMAD-01	A-00
	ACQ-01	CA-02	CCO-00	CG-00	COME-00	CTME-00	INL-01
	DINT-00	DOEE-00	DOTE-00	SRPP-00	DS-00	EB-00	FAAE-00
	FBIE-00	H-01	IMMC-01	TEDE-00	INR-00	INSE-00	IO-00
	L-01	ADS-00	MMP-00	M-00	DCP-01	NRCE-00	NSAE-00
	OCS-03	OIC-02	OMB-01	OPIC-01	PA-00	PM-00	PRS-00
	P-00	SCT-00	SP-00	STR-00	TRSE-00	T-00	USIE-00
	USSS-00	VO-03	ASDS-01	PMB-00	DSCC-00	PRM-01	DRL-02
	G-00	SAS-00	SWCI-00	/033W			

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FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC PRIORITY 6611
INFO NSC WASHDC
SECDEF WASHDC
DIRONDCP WASHDC
USCINCSO MIAMI FL//SCJ2/SCJ5/POLAD//
DIA WASHDC
CIA WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 BOGOTA 014181

E.O. 12958: DECL 12/28/08

TAGS: PHUM, PTER, KJUS, PINS, KVPR, PGOV, MARR, EAID, CO

SUBJECT: MILITARY EXONERATES EIGHT OF ITS OWN IN 1988 SEGOVIA
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PAGE 02 BOGOTA 14181 01 OF 02 311411Z
MASSACRE CASE

REF: A) BOGOTA 3891 B) BOGOTA 3766

CLASSIFIED BY AMBASSADOR CURTIS W. KAMMAN. REASON 1.5(D).

SUMMARY

1. (C) EIGHT COLOMBIAN ARMY AND POLICE OFFICERS WERE EXONERATED BY THE MILITARY JUDICIARY DECEMBER 22 OF CHARGES RELATED TO THE INFAMOUS 1988 SEGOVIA MASSACRE. FIVE OF THE EIGHT HAD BEEN CONVICTED AND SENTENCED BY A CIVILIAN JUDGE IN MARCH ON "TERRORISM" CHARGES IN THIS CASE, ALTHOUGH THE TWO LIEUTENANT COLONELS INVOLVED NEVERTHELESS REMAIN ON ACTIVE DUTY.

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: JOHN L MILLS
DATE/CASE ID: 19 MAY 2004 200400772

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: APPEALS REVIEW PANEL
APPEAL ACTION: ORIGINAL DECISION UPHELD
REASON(S): B1, 1.4(D)
DATE/CASE ID: 25 OCT 2004 200400772

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[REDACTED] BOTH THE CIVILIAN AND MILITARY JUDICIARIES TOOK TEN YEARS TO REACH THEIR VERDICTS -- A SORRY BUT NOT ATYPICAL JUDICIAL PERFORMANCE. END SUMMARY.

EIGHT OFFICERS EXONERATED

2. (U) ON DECEMBER 22, THE MILITARY JUDICIARY EXONERATED EIGHT ARMY AND POLICE OFFICERS ON CHARGES OF PERSONAL INJURY, CONSPIRACY, AND MULTIPLE HOMICIDES RELATED TO THEIR ALLEGED INVOLVEMENT IN THE NOVEMBER 11, 1988, MASSACRE OF 49 TOWNSPEOPLE AT SEGOVIA, ANTIOQUIA ("THE SEGOVIA MASSACRE"). THE OFFICERS EXONERATED WERE: ARMY LT. COL. ALEJANDRO LONDONO TAMAYO, ARMY LT. COL. MARCO BAEZ GARZON, ARMY MAJ. CIRO BORDA GUERRA, ARMY MAJ. HUGO VALENCIA VIVAS, ARMY MAJ. BERNARDO BLANCO PINEDA (AGAINST WHOM CIVILIAN JUDICIAL CHARGES HAD BEEN DROPPED FOR LACK
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OF EVIDENCE), POLICE CPT. HENRY BERNAL FERNANDEZ, POLICE CPT. JORGE CHACON LASSO, AND ARMY LT. EDGARDO HERNANDEZ NAVARRO.

FIVE HAD BEEN SENTENCED BY CIVILIAN COURT

3. (C) FIVE OF THE EIGHT OFFICERS (BOTH LIEUTENANT COLONELS, BOTH CAPTAINS, AND THE LIEUTENANT), WERE CONVICTED BY A CIVILIAN COURT MARCH 31 ON THE SEPARATE, CIVILIAN CHARGE OF "TERRORISM" AND SENTENCED TO 18 YEARS' IMPRISONMENT (REFS A AND B). BOTH LIEUTENANT COLONELS ARE CURRENTLY APPEALING THEIR CIVILIAN COURT CONVICTIONS AND REMAIN, ACCORDING TO THE DEFENSE MINISTRY'S HUMAN RIGHTS OFFICE, ON ACTIVE DUTY. THE MINISTRY NOTED THAT BAEZ IS RESTRICTED TO THE 3RD BRIGADE'S CALI HEADQUARTERS ON HALF-PAY, AND THAT LONDONO REMAINS FREE AND ON ACTIVE DUTY WITH THE LOGISTICAL SUPPLY BRIGADE IN BOGOTA, "BECAUSE THE FATE OF HIS APPEAL HAS NOT YET BEEN DECIDED," SAID AN MOD SOURCE. (NOTE: REF A MISTAKENLY REPORTED THAT LONDONO AND BAEZ ARE RETIRED. END NOTE). A PROSECUTOR GENERAL'S OFFICE SOURCE CONFIRMED TO US THAT THE STATUS OF BAEZ AND LONDONO'S APPEALS ARE IRRELEVANT TO THE QUESTION OF WHETHER OR NOT THEY SHOULD BE INCARCERATED. BOTH WERE CONVICTED OF A SERIOUS CRIME, "AND THEREFORE SHOULD AWAIT THE OUTCOMES OF THEIR APPEALS IN JAIL," SAID THE SOURCE.

4. (U) ACCORDING TO PRESS, THE SUPERIOR MILITARY TRIBUNAL (TSM, THE MILITARY APPELLATE COURT) BASED THE EXONERATIONS ON ITS REJECTION OF TESTIMONY BY WITNESS ALONSO DE JESUS BAQUERO AGUDELO (AKA, "VLADIMIR"), A GUERRILLA-TURNED-PARAMILITARY LEADER. IT WAS ON HIS TESTIMONY, IN PART, THAT THE CIVILIAN COURT HAD BASED ITS CONVICTIONS. THE MILITARY TRIBUNAL ASSERTED THAT "VLADIMIR," WHO HAS ALREADY BEEN SENTENCED FOR HIS OWN CONFESSED PARTICIPATION IN THE MASSACRE, WAS OF UNRELIABLE CHARACTER, AND
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THEREFORE DISREGARDED HIS TESTIMONY.

THE CRIME

5. (U) THE NOVEMBER 11, 1988, SEGOVIA MASSACRE WAS ONE OF THE MOST HORRIFIC CRIMES EVER COMMITTED IN COLOMBIA. THE TOWN WAS A TARGET FOR PARAMILITARIES APPARENTLY BECAUSE OF ITS PRO-UNION PATRIOTICA (A NOW-DEFUNCT LEFTIST COALITION OF COMMUNISTS, SOCIALISTS, AND DEMOBILIZED FARC GUERRILLAS) POLITICAL PROCLIVITIES. FORTY-NINE PERSONS WERE KILLED AND ANOTHER 56 INJURED IN A BLOODY RAMPAGE WHICH BEGAN IN THE ANTIOQUIA TOWN'S SQUARE. THE SLAUGHTER OCCURRED ON A FRIDAY PAYDAY, WHEN GOLD MINERS FROM THE NEARBY HILLS HAD CONVERGED ON THE TOWN TO CASH THEIR PAYCHECKS. ARMED MEN ARRIVED IN THREE TRUCKS AND INDISCRIMINATELY OPENED FIRE ON GATHERED TOWNSPEOPLE. THEY THEN LOADED THE BODIES OF MEN, WOMEN, AND CHILDREN ONTO TRUCKS WHICH THEY PARADED THROUGH THE TOWN. THE PARAMILITARIES STOOD ATOP THE DEAD, CHEERING AND DRINKING TOASTS TO THEIR "GOOD HUNTING." SECURITY FORCE MEMBERS STATIONED NEAR THE TOWN DID NOT ATTEMPT TO OPPOSE THE ARMED INTRUDERS.

COMMENT

6. (C) WE BELIEVE THAT THIS CASE SPEAKS STRONGLY TO THE INEFFICIENCY OF COLOMBIA'S CIVILIAN AND MILITARY JUDICIARIES. BOTH SYSTEMS DELIVERED THEIR VERDICTS TEN YEARS AFTER THE CRIME WAS COMMITTED, A SORRY PERFORMANCE BY ANY STANDARD.

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ACTION ARA-01

INFO	LOG-00	ACDA-08	ACDE-00	INLB-01	AID-00	AMAD-01	A-00
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	VO-03	ASDS-01	PMB-00	DSCC-00	PRM-01	DRL-02	G-00
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FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC PRIORITY 6612

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INFO NSC WASHDC
SECDEF WASHDC
DIRONDCP WASHDC
USCINCSO MIAMI FL//SCJ2/SCJ5/POLAD//
DIA WASHDC
CIA WASHDC

C O N F I D E N T I A L SECTION 02 OF 02 BOGOTA 014181

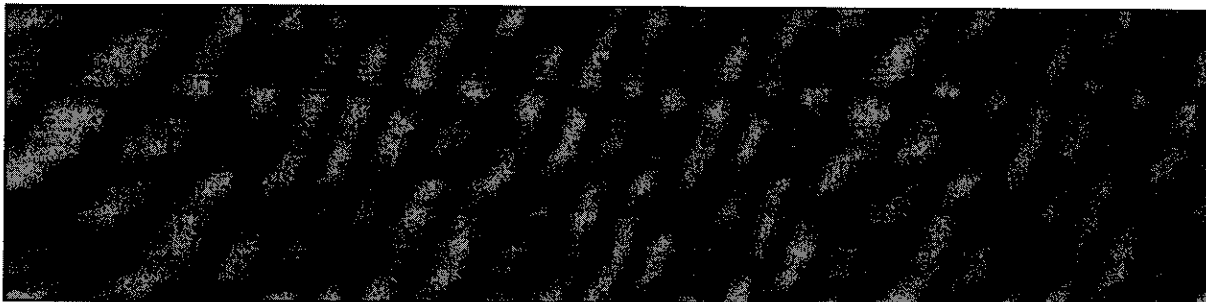
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MASSACRE CASE

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